



Elaine Love
Chief Clerk

JUDY BYRD

CIRCUIT CLERK
AND
DISTRICT COURT CLERK
HOUSTON COUNTY
DOTHAN, ALABAMA 36302

(205) 677-4858
P. O. Drawer 6406

September 14, 1999

Sgt. Keith Gray
Dothan Police Dept.

RE: Missing Drug Evidence

Mr. Gray:

I have searched our files on the suspects you have ask about.

Frederick Brunson	CC-97-902	Pending waiting for Trial
Quintodd West	CC-97-690	Granted Probation
Dieon Patton	Did not find a case for this person	

No evidence was turned in to our office for either of these people.

If I can be of further assistance please let me know.

Yours truly,

Judy Byrd, Clerk

sw

JB/sw

Dothan Police Department

210 North Saint Andrews Street
Dothan, Alabama 36303
(334) 793-0100



John C. White

Chief of Police

08-31-99

TO: CHIEF JOHN C. WHITE
210 N. SAINT ANDREWS ST.
DOTHAN, AL. 36303

DATE AND TIME OF EXAMINATION: 08-31-99 0900 HOURS

LOCATION OF EXAMINATION: DOTHAN POLICE DEPARTMENT

EXAMINEE: MICHAEL PAUL MAGRINO

POLYGRAPH FILE NUMBER: 99-08-04

POLYGRAPH EXAMINER: SGT. RAY OWENS

The above captioned examinee voluntarily submitted to be examined by polygraph at the above location on the date shown. The examinee willingly participated in the pre-test interview during which he signed a **voluntary consent form** assuring all parties concerned that the polygraph examination was being taken voluntarily.

The background information relating to this exam was furnished by Sergeant Keith Gray of the Dothan Police Department and consisted of a verbal briefing of specific accusations and the results of a specific search conducted on Officer Magrino's police vehicle.

It was the understanding of this examiner that the primary purpose of this examination was to determine the truthfulness of the examinee's statement regarding the misuse of illegal evidence.

The examination utilized equipment that indicated and recorded on a moving chart, relative changes in blood pressure, pulse rate, galvanic skin response, and breathing patterns.

The following **relevant** questions was asked during the overall examination:

- 1) Have you ever planned with anyone else to plant any illegal evidence?

Dothan Police Department

M E M O R A N D U M

FROM : Sgt. I. Keith Gray
TO : Chief John C. White
DATE : August 27, 1999
SUBJECT : INTERNAL COMPLAINT



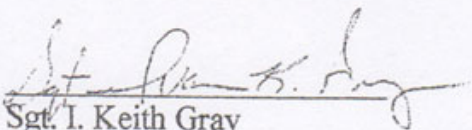
This is to inform you of a complaint initiated by the Internal Affairs Division against Officer [REDACTED] on July 1, 1999.

Two members of this department have come forward and advised me that they have seen Magrino with a bag of marijuana in his police unit for a long period of time. A third member was present at the time Magrino possessed the illegal drug and was told about it immediately after Magrino left their presence.

During the month of June, I advised you of the allegations, and I had to ask the members to write their statements and forward them to me. During this time there was some concerns regarding the security of their written statements. I developed a method the members were comfortable with and it took a while for them to get their statements to me.

The description of the drug was the same in two independent statements. Two members stated that [REDACTED] made a comment that the drugs "Could be evidence", which they believed his insinuation to mean that he could plant the drugs. The fourth member advised of a foot pursuit that he and [REDACTED] were involved in. [REDACTED] recovered cocaine that the member did not believe to be the property of the suspect.

Your office will be notified at the conclusion of the internal investigation.


Sgt. I. Keith Gray
Internal Affairs Division
Dothan Police Department

Dothan Police Department

210 North Saint Andrews Street
Dothan, Alabama 36303
(334) 793-0100



John C. White

Chief of Police

08-31-99

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On September 8, 1999 at 1330 hours I conducted a taped interview with Officer Ott. He advised me that he returned to town to learn that [REDACTED] was the subject of an administrative investigation. On 8-30-99 Ott spoke with [REDACTED] over the phone and [REDACTED] told him that he was being investigated for a PGO violation. Ott adds that on 9-6-99 he spoke with [REDACTED] in person and [REDACTED] just told him the same thing over again that he was being investigated on a PGO violation. Ott states that nothing else pertaining to the investigation was discussed.

The integrity of a law enforcement officer is crucial in the carrying out of their duties. If integrity is lost then the credibility of the officer is lost. Without credibility, a law enforcement officer cannot successfully fulfill his/her obligations. How can a law enforcement officer expect citizens to follow the laws, as well as rules and regulations set forth if he himself cannot follow rules and regulations of his/her department. Officer [REDACTED] in this case has lost his integrity as well as his credibility due to drug evidence being missing. The District Attorney, Doug Valeska has been advised of the investigation and has a problem bringing the suspects in drug cases to trial due to [REDACTED] credibility being in jeopardy.

There are at least 50 case folders that contain drugs that should have been submitted to the Property/Evidence Officer for storage and chain of custody issues. Some of those cases have been in [REDACTED] possession for over two years.

There are five handguns, one of which was still listed as stolen, one which [REDACTED] lost for a period of time then it reappeared under suspicious circumstances, and two handguns that he has no idea where he seized them from.

[REDACTED] was directed several times, by a superior officer not to discuss this case with anyone but he has and has called the District Attorney's Officer and left a message with Doug Valeska in order to talk about this case, by his own admission. In my opinion this is gross insubordination.

After a complete investigation I have found that Officer [REDACTED] has violated Personnel Rule, Regulation III, Sec. 3-20 (3) "Intolerable" Offense.

Sec. 3-43 (18) "Gross Insubordination".

Sec. 3-43 (19)

Eighty (80) violations of Dothan Police Department Rules and Regulations PGO 64 regarding gross mishandling of evidence.

It is my findings that the allegations are Sustained and [REDACTED] be discharged.

Sgt. I. Keith Gray
Internal Affairs Division
Dothan Police Department

- 2) Have you ever planted any illegal evidence?
- 3) Have you ever used any illegal drug evidence for your personal use?
- 4) Since you have been employed with the Dothan Police Department, have you ever sold any illegal drug evidence?

The examinee answered **NO** to the above listed relevant questions, which were asked a total of four (4) times.

RESULTS: DECEPTION INDICATED.

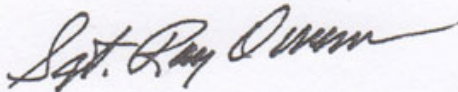
Analysis of the polygraph charts indicated the examinee's charts show a strong and consistent unresolved response to relevant question number one and two listed above.

REMARKS: The examinee cooperated throughout the exam and complied with all instructions.

The examinee could offer no explanation as to why he reacted to question number one and two.

ADMISSIONS AND CONFESSIONS:
NONE

POST TEST ADMISSIONS:
NONE



Sgt. Ray Owens
Polygraph Examiner
Dothan Police Department